

**REMARKS**

Claims 1, 6-8, 10-14, and 18-31 are pending. Claims 2-5, 9 and 15-17 have been canceled. Claims 28-31 are new. The applicant respectfully requests reconsideration and allowance of this application in view of the following remarks.

The specification was objected to for line spacing. A substitute specification is attached in which the lines have been spaced appropriately for ease of reading. In addition, paragraph numbers have been added by the substitute specification. The substitute specification incorporates the changes made previously to the text of the specification, but no new changes have been made to the text of the specification. In other words, the differences in the substitute specification relate only to form. Since a marked-up copy would not include markings relating to matters of form, there is no need for a marked-up copy. No new matter has been added.

Claims 1, 6-8, 10-14, and 18-27 were rejected under 35 USC 101 as being directed to non-statutory subject matter. The applicant respectfully requests that this rejection be withdrawn for the following reasons.

Claim 1, the only independent claim, has been amended to recite that the method uses a computer coupled to a database. Further, claim 1 recites that the percentage change in value of each investment is determined from the database, and the investment performance values are calculated with the computer. These changes are to clarify that the method steps are performed by a computer programmed specifically to perform the method. Thus, the claims are drawn to a particular machine and are within a statutory class. Support for the changes to claim 1 can be found at least at paragraph 0078 of the substitute specification, or the paragraph that begins on

page 12, line 1 of the original specification. Fig. 3 shows the computer 10 coupled to a database 20, 16.

Claim 10 has been amended for clarification and to move parts of claim 10 to a separate dependent claims. See new dependent claims 28 and 31 for subject matter removed from claim 10.

Claims 28-31 are new. Claims 28-31 depend on claim 1, indirectly. Therefore, claims 28-31 are considered to be patentable based at least on their dependency.

In view of the foregoing, the applicant submits that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions arise, the examiner is invited to contact the undersigned by telephone.

If there are any problems with the payment of fees, please charge any underpayments and credit any overpayments to Deposit Account No. 50-1147.

Respectfully submitted,

  
James E. Barlow  
Reg. No. 32,377

Posz Law Group, PLC  
12040 South Lakes Drive, Suite 101  
Reston, VA 20191  
Phone 703-707-9110  
Fax 703-707-9112  
Customer No. 23400